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6 JO GUNTER HEWITT, ET AL.

7

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11

12 JO GUNTER HEWITT, individually and on)
13 Behalf of the Estate of RONALD A.)
14 HEWITT, decedent; SUSAN SIMPSON;)
15 RHONDA KNIGHT; AND DOES ONE)
16 through TEN, inclusive,)

Case No. C 07-3474 SI

17 **NOTICE OF WITHDRAWAL OF**
18 **PLAINTIFFS' MOTION TO REMAND**
19 **CASE TO CALIFORNIA SUPERIOR**
20 **COURT**

21

22 Plaintiff,)
23 vs.)
24 A. W. CHESTERTON COMPANY, et al.,)
25 Defendants.)

26 Date: September 14, 2007
27 Time: 9:00 a.m.
28 Courtroom.: Courtroom 10, 19th Floor
San Francisco, CA

The Honorable Susan Illston

**NOTICE OF WITHDRAWAL OF PLAINTIFFS' MOTION TO REMAND CASE TO
CALIFORNIA SUPERIOR COURT**

This is to provide notice that, pursuant to Local Civil Rule 7-7, Plaintiffs hereby withdraw their Motion to Remand Case to California Superior Court filed on August 2, 2007, since Defendants have not yet opposed the Motion, the Court has not yet acted on the Motion, and upon review of the current facts at issue, Plaintiffs no longer seek to remand this case to California Superior Court at this time. In light of these circumstances, Plaintiffs give notice that their Motion to Remand Case to California Superior Court be withdrawn and taken off-calendar.

Dated: August 13, 2007

LEVIN SIMES KAISER & GORNICK LLP

By:

Shannon S. Johnson
Attorneys for Plaintiffs

PROOF OF SERVICE

I certify that I am over the age of 18 years and not a party to the within action; that my business address is 44 Montgomery Street, 36th Floor, San Francisco, CA 94104; and that on this date I served a true copy of the document(s) entitled:

NOTICE OF WITHDRAWAL OF PLAINTIFFS' MOTION TO REMAND CASE TO
CALIFORNIA SUPERIOR COURT

Service was effectuated by forwarding the above-noted document in the following manner:

XX **By Regular Mail** in a sealed envelope, addressed as noted above, with postage fully prepaid and placing it for collection and mailing following the ordinary business practices of Levin Simes Kaiser & Gornick.

SEE ATTACHED SERVICE LIST

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[X] By Electronic Service by transmission through ECF (Electronic Case File Internet Site).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 13, 2007 at San Francisco, California.

Athena Stavrakaras
Athena Stavrakaras

San Francisco Superior Court No. CGC 06 449838

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